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MAILED
AUG 21 2012
OFFICE OF PETITIONS

In re Patent No. 6,494,458
Issued: December 17, 2002
Application No. 09/750,623
Filed: December 19, 2000
Attorney Docket No. 860-20-009

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ON PETITION

REQUIREMENT FOR INFORMATION

A renewed petition was filed on August 1, 2012 under 37 CFR 1.378 to accept the delayed payment of a maintenance fee for the above-identified patent.

A decision on this petition will be held in abeyance for a period of **TWO MONTHS** from the date of this communication to permit petitioner to address the following issues before a decision is rendered. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b).

[] The instant petition is not signed by a person authorized to sign a petition under 37 CFR 1.378 in the above-identified patent. 37 CFR 1.378(d) requires that any petition under 37 CFR 1.378 be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest.

[X] **The instant petition appears to be on behalf of the assignee; however, the petition does not comply with 37 CFR 3.73(b).** 37 CFR 3.73(b) provides that: (1) when an assignee seeks to take action in a matter before the Office, the assignee must establish its ownership of the property to the satisfaction of the Commissioner; (2) ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office; (3) the submission establishing ownership must be signed by a party authorized to act on behalf of the assignee; and (4) documents submitted to establish ownership may be required to be recorded as a condition to permitting the

assignee to take action in a matter pending before the Office. **A 37 CFR 3.73(b) statement is enclosed with this requirement for information.**

Petitioner has submitted a renewed petition under 37 CFR 1.378(c), however, the petition as signed cannot be accepted since the Statement Under 37 CFR 3.73(b) is improper. Petitioner has failed to properly submit the chain of title from the inventor of the patent identified above to the current assignee. Consequently, the petition under 37 CFR 1.378(c), cannot be accepted at this time.

The response to this Requirement for Information should include a cover letter entitled "Response to Requirement for Information."

At the end of the two month period specified above, a decision will be rendered on the instant petition under 37 CFR 1.378 as supplemented by any information submitted in response to this Requirement for Information.

In order to expedite reinstatement of this patent, petitioner may wish to consider submitting the reply to the requirement for information by facsimile transmission to the telephone number indicated below and to the attention of the undersigned.

A courtesy copy of this decision is being mailed to the address on the petition; however, all future correspondence will be mailed solely to the address of record.

By Mail: Mail Stop PETITIONS
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By hand: U.S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries should be directed to the undersigned at (571)-272-7751.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

Enclosure: PTO/SB/96 – Statement under 37 CFR 3.73(b)

cc: Reid Dammann, Esq.
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